UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/923
14 September 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

ANNUAL THEME

STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY

I. INTRODUCTION

1. In June 1999, the fifteenth meeting of the Standing Committee decided to select "Strengthening partnership to ensure protection, also in relation to security" as the annual theme for the fiftieth session of the Executive Committee of the High Commissioner's Programme.[1] The creation of partnerships between the Office of the United Nations High Commissioner for Refugees (UNHCR) and a range of players has aimed at improving the effectiveness of its action on behalf of refugees and other persons of concern, as well as addressing security-related risks affecting them and humanitarian workers. This note is intended to provide background information for the debate on the annual theme. It raises relevant issues and gives examples of how partnership with a variety of actors has contributed to improving the protection of asylum-seekers, refugees and other persons of concern to UNHCR, and to addressing security-related concerns. It makes no claim to being exhaustive, but aims to prompt thought and discussion on how partnerships can break new ground in addressing the complex challenges posed by refugee movements. The note ends with some suggestions as to both the potential limits of partnership, and elements of success.

II. PROTECTION AND SECURITY IN AN INCREASINGLY COMPLEX INTERNATIONAL ENVIRONMENT

2. Protection lies at the heart of UNHCR's mandate. In its broadest sense, protection encompasses all activities aimed at restoring the human dignity of

[1]This theme is related to that debated during the forty-ninth session of the Executive Committee -- "International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees" -- which elucidated the importance of partnership among States for the preservation of the institution of asylum.

refugees, safeguarding their rights and seeking durable solutions to their problems, within the framework of the 1951 Convention relating to the Status of Refugees and the 1967 Protocol.[2] Seen from this broad perspective, the task of protection has legal, as well as physical and material dimensions.

3. Providing international protection to refugees and other persons of concern has become more difficult owing to the increasingly complex international environment. Over the past two decades, the system for refugee protection has been severely tested in many parts of the world. There has been a decline in support for the institution of asylum. Irregular migrants, armed elements, and even persons who would be excluded from refugee status under the terms of the 1951 Convention, increasingly seek asylum alongside genuine refugees. At the same time, humanitarian and human rights principles and norms in conflict situations are being flagrantly violated. Civilians are often the main targets of warring parties, with women and children suffering in disproportionate numbers. Women are all too often subjected to atrocities that include organized rape and sexual exploitation. Children and adolescents have been forcibly recruited, compelled to support the war effort in varying ways or been subjected to sexual or other abuse and exploitation. Elderly refugees, the most easily forgotten, face problems linked to social disintegration and chronic dependency. Though less visible, their problems are no less acute.[3]

4. Risks to humanitarian personnel have also grown, as they work in situations of open conflict or rampant insecurity. Humanitarian staff have faced threats, use of force, physical attacks resulting in injury or death which prevent or impede them from discharging functions that include protection. To counter these increasing risks, intense efforts have been made within the United Nations system to raise security awareness and training of staff in greatest danger, and ensure that security officers are posted to high-risk operations. Due to this ongoing vigilance, the actual number of incidents has remained fairly constant, but nonetheless extremely worrying.

5. It follows that within this complex environment, efforts to ensure protection have increasingly focused on the aspect of physical safety of persons of concern, as well as of humanitarian personnel. No one organization can face the challenge alone. The theme of the fiftieth session, focusing on partnership, is particularly timely and relevant. As never before, a concerted international approach is needed to prevent and redress violations to the physical safety and security of refugees and other persons of concern to UNHCR, as well as of our own and partners' staff. Such an approach must embrace efforts to strengthen respect for human rights and the rule of law, to ease tensions within communities, and to catalyse reconciliation, peace-building and institution-building. Some recent peace agreements have contained physical and legal protection elements such as these, and envisage close cooperation between an array of organizations and

---

[2]Such protection activities include promoting accession to the 1951 Convention and the 1967 Protocol, providing support for the establishment of national status determination procedures, assisting governmental and private efforts to promote voluntary repatriation or assimilation within new national communities, etc. See Statute of the Office of the United Nations High Commissioner for Refugees, General Assembly Resolution 428(V) of 14 December 1950, Chapter II, para. 8.

[3]EC/48/SC/CRP.39

institutions working on civilian as well as military aspects of peace implementation.

III. PARTNERSHIP: WHAT IT IS AND WHY IT IS NEEDED

6. The term *Partnership* conjures up a number of concepts: those of a shared objective or goal, the desire to join efforts to attain that objective and a sense co-responsibility for the desired outcome. Partnership, however, does not require a consonance of views on all issues and at all times. Nor does partnership forged to achieve a specific, shared objective imply that partners will wish to pursue their cooperation to tackle other problems or issues. At the same time, partnership means more than "coordination" or "cooperation." It may be the only means to fill gaps between traditional mandates or to mobilize the efforts of a number of partners where identified needs cut across the mandates of several organizations.

7. Partnership is at the foundation of the way international protection is envisaged in the 1951 Convention and the 1967 Protocol, and in UNHCR's Mandate. Key provisions of both acknowledge that the effective performance of UNHCR's functions depends on its cooperation with States, intergovernmental organizations, private organizations and other entities. Accordingly, partnerships in various forms and with a wide range of actors have been a pivotal aspect of UNHCR's modus operandi over the years, enhancing protection in all its dimensions.

8. UNHCR's partnerships take many forms, according to the needs of a given situation. They range from broad strategic frameworks with States or regional bodies, or formalized inter-institutional agreements at the Headquarters level[4]. They may also take the shape of formal or informal understandings with non-governmental entities or local authorities. Such arrangements have often proved highly effective, since they are based on a partnership that is designed to achieve one or more concrete goals, rather than simply providing a broad framework for cooperation. Partnership agreements may also reflect a long-term commitment to cooperate on a range of issues or be limited in time and scope. Since its founding, UNHCR has worked with a number of traditional partners: refugees and other persons of concern; Governments and the public sector; the non-governmental sector, the Red Cross movement, as well as other agencies of the United Nations system.

9. New and dynamic partnerships have been born through the need to see protection roles in more comprehensive terms that include:

- addressing root causes of refugee flows;
- monitoring human rights;
- enhancing response capacities, including through early-warning systems;
- peacemaking and peacekeeping; and
- ensuring a transition from relief to sustainable development.

---

[4]Over the years, UNHCR has concluded Memoranda of Understanding, exchanges of letters or other forms of cooperation agreements with scores of intergovernmental organizations, institutions or other entities, such as: ADB/ABF, the Council of Europe, ECHO, IDB, IIDH, ISESCO, IFAD, IGAD, ILO, IOM, NATO, OAU, OECD, OHCHR, OIC, OSCE, SADC, UNAIDS, UNBRO, UNDP, UNDRO, UNESCO, UNFPA, UNICEF, UNIFEM, UNOPS, UNRISD, UNSECOORD, UNV, the World Bank, WFP and WHO.

In response to the rapidly evolving approaches to protection, the nature and scope of UNHCR's partnerships have also developed. Links are being forged or strengthened with international, regional and sub-regional organizations; academic and other institutions; international financial institutions; the private sector; members of civil society; and even military organizations and police structures. Importance is placed on each partner bringing added value to the collaborative effort.

10. The need to ensure a secure environment for returnees is another area of concern. Such a need was among the considerations leading to the initiative referred as the "Brookings Process". This initiative jointly sponsored by the High Commissioner and the President of the World Bank is involving consultations between governments, international and non-governmental organizations, highlighting the shared responsibility of a wide spectrum of humanitarian and development actors in efforts to bridge the gap between humanitarian assistance and long-term development. The aim is to explore means of ensuring, through new and innovative partnerships, a more successful transition from conflict to sustainable development and peace in societies emerging from conflict.

11. In today's complex environment, UNHCR's strategic partnership with other players can bring appreciable benefits such as:

- influencing public opinion in favour of refugees, thereby reinvigorating support for asylum;
- augmenting capacity to monitor protection-related developments (in some circumstances benefiting from the dissuasive effect of the presence of others, in cases where UNHCR is not physically represented);
- obtaining additional resources to support UNHCR's protection mandate;
- improving coordination mechanisms;
- drawing on areas of specific expertise which are outside UNHCR's competence[5];
- creating new methodologies and developing new approaches to protection;
- ensuring that frameworks for resolving conflict take due account of the humanitarian and protection dimensions, and that solutions to refugee problems are durable and sustainable;
- exchanging information on security risks to both refugees and staff, in order to reinforce collaborative measures to counter them.

IV. UNHCR AND ITS PARTNERS: SOME EXAMPLES

A. States, regional and international organizations

12. The 1951 Convention and UNHCR's Statute both affirm the need for cooperation between UNHCR and States, intergovernmental organizations, private organizations, and other entities. Under Article 35 of the 1951 Convention, States undertake to cooperate with UNHCR "and to facilitate its duty of supervising the application of the provisions of [the] Convention". Cooperation with States is also dictated by pragmatic considerations. States are the primary custodians of the refugee protection regime, not least

---

[5] As, for example, in matters of legal, political, military, or technical know-how.

because they are the dominant actors on the international plane and - as parties to the 1951 Convention and/or the 1967 Protocol - bound by their provisions. In addition, States are responsible for providing protection and security to all individuals within their jurisdiction, including respect for fundamental human rights, such as the right to life, liberty and security of person. Given this central position occupied by States, UNHCR's protection mandate can only be pursued in close collaboration with them.

13. Beyond cooperation of this kind, UNHCR seeks to enter into other forms of partnership with States. At the most formal level, UNHCR works in partnership with States to clarify and develop the normative and procedural framework for refugee protection, through the process of drafting Executive Committee Conclusions, international instruments and national legislation. The 1969 OAU Convention and the 1985 Cartagena Declaration are examples of major protection-related regional instruments in which UNHCR was actively involved at the drafting stage. UNHCR and States work closely together in the establishment and functioning of status determination procedures. At the country level, States have worked closely with UNHCR in establishing and managing refugee camps and settlements, and in ensuring the delivery of a range of protection and assistance services, not least among them the distribution of material assistance to refugees. Further opportunities for partnerships have been seen in the context of durable solutions. In particular, voluntary repatriation, local settlement and resettlement require coordinated action between UNHCR, countries of origin countries of asylum, and countries of resettlement.

14. UNHCR works closely with many international partners on the international scene whose humanitarian, human rights or protection-related mandates complement its own. These include the International Committee of the Red Cross (ICRC); United Nations agencies and programmes, notably the World Food Programme (WFP), the United Nations Children's Fund (UNICEF), Special Representatives and Representatives of the Secretary-General of the United Nations, as well as Resident Coordinators; United Nations Special Rapporteurs; various Working Groups; international tribunals; as well as other actors on the international scene. UNHCR's collaboration with these partners has been fuelled by a realization that human rights, humanitarian law and refugee protection are parallel and mutually reinforcing. A notable example of this trend is work in the field of the internally displaced. As no one international agency has a mandate for addressing the situation of internally displaced persons, strong cooperation is a prerequisite for effective protection and the attainment of durable solutions. UNHCR has been an active partner in consultations under the aegis of the Inter-Agency Standing Committee (IASC) Working Group on Internally Displaced Persons aimed at strengthening the protection of the internally displaced through stronger inter-agency cooperation.

15. The last two decades have seen many other positive examples of UNHCR in partnership with States and international partners. One of them was the 1989 International Conference on Indo-Chinese Refugees, whose Comprehensive Plan of Action (CPA) established a framework for constructive collaboration between South-East Asian States receiving Indo-Chinese asylum-seekers and other concerned States further afield. The 1989 International Conference on Central American Refugees (CIREFCA) is often cited as a model of cooperation between seven Central American States, the United Nations Secretary-General, UNHCR and the United Nations Development Programme (UNDP). It broke new

ground in several areas -- by devising "Quick Impact Projects" to assist returnee- and refugee-hosting communities, by empowering displaced women to play an active role in the process of reconciliation and economic development and by giving local communities and NGOs a greater voice in their future. More importantly, CIREFCA furthered the protection of refugees and other persons of concern by placing the principles governing the repatriation of refugees and the protection of internally displaced persons high on the agenda for regional peace and reconciliation.

16. More recently, the process of follow-up to the May 1996 CIS Conference[6] has fostered innovative and productive partnerships for protection. Countries participating in the CIS Conference process are drafting, revising, or have already adopted refugee legislation. Capacity-building and training activities are being intensified to assist States in the region to establish asylum systems and refugee status determination procedures in accordance with international standards. The CIS process has also led to closer cooperation on the issue of citizenship. Strong cooperation in addressing the issue of statelessness between UNHCR, the Council of Europe and the relevant institutions of the Organization for Security and Cooperation in Europe (Office for Democratic Institutions and Human Rights (ODIHR) and the High Commissioner on National Minorities (HCNM)) has begun to bear fruit. Nevertheless more effort will be needed to bring national legislation and practice in line with the 1961 Convention on the Reduction of Statelessness and the Council of Europe Convention on Nationality. Thanks to the CIS process and the cooperation it engendered, important headway has also been made to address the situation of Formerly Deported Peoples. The HCNM, in close cooperation with UNHCR and the Open Society Institute's Forced Migration Projects, has spurred consultations to begin shaping a comprehensive, solutions-oriented approach with the involvement of all concerned actors.

17. The Kosovo crisis also provided fertile ground for partnership with States and intergovernmental organizations aimed at strengthening protection. Prior to March 1999, UNHCR cooperated closely with the OSCE Kosovo Verification Mission (KVM), as well with the International Committee of the Red Cross (ICRC) and a range of local and international NGOs. This partnership was instrumental in securing reliable information on the numbers, locations and situation of displaced persons and returnees and in facilitating interventions to address urgent needs and bring vulnerable groups to safety. The sharing of information was also important for the protection of humanitarian staff on the ground, particularly as the crisis deepened. In Kosovo, international presence again proved to be a major factor in containing, if not totally preventing, threats to life, security and property.

18. These partnerships were dramatically disrupted by events as from March 1999. New forms of partnership were forged to respond to the massive flight of close to one million refugees and displaced persons from Kosovo. The Humanitarian Evacuation Programme designed to relieve the exceptional pressure experienced by one of the countries of asylum was an example of

---

[6] Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (Geneva, May 1996), convened by UNHCR in cooperation with OSCE and IOM.

solidarity and burden-sharing in extreme conditions. This Programme demonstrated an exemplary political will to avert a risk of destabilisation created by the presence of large numbers of refugees in precarious circumstances.

19. The adoption of the Security Council Resolution 1244 (1999), and the signing of the Military Technical Agreement between the International Security Force (KFOR) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia saw the establishment of KFOR in Kosovo and the return of well over 770,000 ethnic Albanians to Kosovo as of 1 September 1999. Once more partnerships - notably within the framework of the United Nations Mission in Kosovo - are being established and re-shaped.

20. Constructive dialogue with the European Union (EU), its Member States and institutions has been a high priority of the Office for many years now. This includes the work of the High Level Working Group on Asylum and Migration, which is currently developing an integrated, common strategy and overall approach to asylum and migration policy for selected countries and regions from which most asylum-seekers and migrants to the EU originate. Cooperation between the EU and UNHCR is now formalized in Declaration No. 17 to the Treaty of Amsterdam, which entered into force on 1 May 1999. The forthcoming Tampere Summit of EU Heads of State and of Government will provide an opportunity to define a strategy for the establishment of the European common "area of freedom, security and justice".

21. In Africa, partnership with the Organization of African Unity (OAU) continues to be the cornerstone of efforts for sustainable peace and the resolution of refugee problems. 1999 has seen some encouraging developments with cease-fire or peace agreements on several long-standing conflicts. Such agreements will nevertheless continue to be fragile without a commitment to address and resolve conflicts, through negotiations rather than force.

B. Civil society

22. In most refugee and repatriation situations, civil society plays a vital role in the fulfilment of UNHCR's mandate and the implementation of its activities. While NGOs represent the most important group, links with other members of civil society in its broadest sense continue to be forged. The list is long, ranging from academia, to the world of business, arts and politics. Results of these collaborative initiatives are encouraging.

23. NGOs remain UNHCR's traditional partners, and over the years have gained in importance in the field of protection, not least because they offer a range of competencies which complement UNHCR's work. NGOs have proved to be efficient and flexible partners, offering hands-on services in all aspects of field work, from responding to emergencies through camp management to durable solutions. Their relatively less bureaucratic structures enable them to act with speed and adapt rapidly to changing situations in the field. NGOs are also active advocates for compliance with international standards for protection. Local NGOs serve as bridges between UNHCR and host communities, augment the ability to gain access to and monitor the situation of persons of concern, and are key actors in the transition from relief to development.

24. A recent and innovative example of partnership with the business sector was the one formed between UNHCR, IOM and a major corporation, namely

Microsoft, which assisted in developing a computerized registration system in the context of the Kosovo emergency. This system was developed to UNHCR specifications, and opens up new options for registration in situations of mass displacement, allowing field-based verification and simultaneous issuance of identity cards for refugees and returnees.

25. Another example has been that of the Business-Humanitarian Forum, held for the first time in early 1999, organized by UNHCR with the International Rescue Committee, and bringing together leaders of nearly 30 major humanitarian organizations and multinational corporations. The Forum helped build a fledgling partnership between humanitarian organizations and the business community, recognizing that both share the objective of seeing distressed societies become prosperous and democratic. Various areas were identified for joint action, including action to promote democratic governance and effective public administration; building or rebuilding judicial systems; clearing fields of landmines so that agriculture can resume; and ensuring the delivery of basic services and infrastructure.

26. The importance of UNHCR's partnership with NGOs is well illustrated by the Partnership in Action (PARinAC) process of consultations laying a new foundation for cooperation between UNHCR and its NGO partners. It examined operational relationships and criteria for building better, more constructive partnerships and embodied a commitment to improve joint humanitarian action. The process culminated in the Oslo Conference of June 1994, at which the Oslo Declaration and Plan of Action were adopted, containing 134 recommendations, including many on refugee protection as well as NGO-UNHCR partnership. There is wide recognition that PARinAC has been key to strengthening cooperation between UNHCR and NGOs -- who now participate as observers in the work of UNHCR's Standing Committee and the Executive Committee. Follow-up action at the national and regional levels have kept the PARinAC process very much alive. It remains a platform for continuing to review and improve concrete partnerships. Looking towards the year 2000, UNHCR and NGOs are intent on reinvigorating the PARinAC process, so as to better meet the many challenges which lie ahead. A Year 2000 PARinAC Plan is presently being prepared and will include recommendations on improving partnership for protection on the ground.[7] The new Framework Agreement on Operational Partnership (FAOP) is enhancing collaboration not only between NGOs and UNHCR but also between NGOs themselves. The FAOP recognizes the importance of the contribution of all entities working with refugees, as well as the need for a strong partnership to ensure the delivery of effective protection and assistance.

C. Refugees and others of concern

27. Refugees and other persons of concern are not merely passive recipients of humanitarian assistance. UNHCR's experience has shown that they play important roles in the delivery of protection, assistance and durable solutions, particularly in camp settings. Refugees and other persons of concern are the key sources of information on protection problems and on camp security. With some guidance and training, they are often important partners in UNHCR's efforts to monitor a given situation and provide valuable insights

---

[7] Examples of a range of activities that concern refugee children, refugee women and the elderly and involving UNHCR, NGOs and other organizations, such as UNICEF, are provided in recent Notes to the Standing Committee: EC/48/SC/CRP.39; EC/48/SC/CRP.38; EC/49/SC/CRP.22.

needed to design assistance and protection measures. They offer significant support in the delivery and distribution of humanitarian assistance and can help ensure that protection concerns are properly addressed in the management of refugee camps and settlements.

28. Refugee women are actively involved in a wide range of initiatives that concern their human rights, such as recent campaigns in Africa, Latin America and Central Asia. In all these examples refugee women themselves have made their voices heard. They are also making important contributions to conflict resolution and peace building processes in countries such as Eritrea, Ethiopia and Burundi. Their role is also key in all preventive measures designed to diminish the risk of violence and insecurity to which they are exposed. In camps on the western border of the United Republic of Tanzania, for example, a comprehensive programme of prevention and response to sexual and gender violence has been underway over the past eighteen months. The success of this project, which takes a community-based approach, is leading to projects of similar scope in five other countries in West and East Africa. They are based on partnership with refugee women, local police services, NGOs, and staff of humanitarian agencies

IV. REACHING OUT TO NEW PARTNERS IN SUPPORT OF PROTECTION

29. Since late 1997, UNHCR has been engaged in extensive "Reach Out" consultations aimed at reinvigorating support for the essential institutions of refugee protection -- including the 1951 Convention. These consultations should be seen as part of a process of cementing existing partnerships and creating new ones. Following the first phase of the "Reach Out" consultations, involving in-depth bilateral consultations with a cross section of States Members of UNHCR's Executive Committee, the consultations have been broadened to encompass NGOs and other key non-State actors, including United Nations agencies and bodies, the international financial institutions and the corporate sector, as well as influential members of civil society.[8] The results of these consultations have led to commitments by States in several regions to engage in bilateral diplomacy advocating ratification of the basic international instruments for refugee protection, including those on statelessness.

30. At a time when the institution of asylum is under pressure, partnership has also been sought to stimulate creative ideas in support of protection and promoting a dialogue aimed at strengthening the institution of asylum. A good illustration of this approach to partnership is the series of symposia conducted between 1997 and 1999 on the theme "Challenges to the Institution of Asylum and Refugee Protection - Reconciling State Interests with International Asylum Obligations." The symposia brought together experts on asylum issues in four regions[9] to explore areas of tension between States' interests and their responsibilities for refugee protection, and to identify ways to reconcile these tensions. Partners in this initiative were drawn from a wide range of sectors and disciplines, including representatives from

---

[8] An information paper on the "Reach Out" process was made available to the Standing Committee of the Executive Committee at the end of June, and described the manner in which UNHCR is seeking to engage in a dialogue with a range of actors on the unprecedented challenges to its protection mandate.

[9] Southern Africa, North America and Western Europe, South America and the Asia-Pacific region.

governments, international organizations, academic and research institutions, civil society and the private sector.

31. While the issues raised in each symposium varied in important ways, there was significant commonality in the themes discussed. For example, the symposia recognized that "the challenge now is not how to build barriers to keep people out but how to manage refugee and migratory movement in a way that upholds human rights and humanitarian principles while addressing the legitimate concerns of States and receiving communities."[10] Furthermore, UNHCR was strongly counselled to build new constituencies as never before and to broaden the base of these constituencies beyond traditional partners so as to engage civil society in a meaningful and transparent way. This has been one of the primary objectives of the "Reach Out" process.

V. ENSURING SECURITY

32. Many of the situations triggering displacement are characterized by serious violations of human rights principles and norms and humanitarian law, making physical protection an important component of protection-related interventions. Furthermore, the presence of armed and other elements among genuine refugees has raised the thorny question of how to separate persons not in need of international protection from those who are, in order to maintain the strictly humanitarian character of camps and settlements while enhancing security. Finally, as humanitarian workers are drawn into situations of open conflict or rampant insecurity, their own security needs and measures to address them have come into sharper focus. In some countries, threats to the security of humanitarian workers have led to the partial or total suspension of relief programmes, thereby impeding protection activities as well.

33. In 1998 the Security Council held an Open Debate, initiated by the Republic of Korea, to discuss how to improve protection for humanitarian assistance to refugees and others in conflict situations. This was a very timely debate, recognizing the significant role played by humanitarian actors in international relations and their need for the support of the Security Council. UNHCR took the lead role in drafting the subsequent 'Report of the Secretary-General on Protection for Humanitarian Assistance to Refugees and Others in Conflict Situations', issued in September 1998.[11] It followed an extensive process of consultation with other UN agencies, ICRC and Security Council Member States.

34. Also of relevance in this context was the Regional Meeting on Refugee Issues in the Great Lakes, held in Uganda in May 1998 under the joint aegis of UNHCR and the OAU. Security was high on the agenda, and a consensus was reached that the mixed nature of camps had constituted a threat. It was also acknowledged that humanitarian agencies alone could not confront security problems, and that international support to police forces is important. Participants at the meeting also considered that countries in the region are better suited than traditional multi-national peacekeeping forces when it comes to addressing security situations of this kind.

---

[10] It was widely agreed that the best way to buttress the institution of asylum was not to wind back agreed refugee protections but to invest actively, imaginatively and resourcefully in attacking the causes of departure at source, while at the same time making every effort to restore confidence in the asylum system.

[11] S/1998/883

35. UNHCR's recent experiences, not least in the Great Lakes Region, the United Republic of Tanzania and South East Europe, have indeed highlighted the urgency of addressing security issues in refugee camps and settlements. Support to national police in Kenya and the United Republic of Tanzania are examples where UNHCR has provided material support for the deployment of police to ensure law and order in refugee camps. In the case of the United Republic of Tanzania, the police also help to halt activities which are contrary to the 1969 OAU Convention. UNHCR has begun the process of considering various new approaches to camp security which draw on a graduated "ladder of options" concept, and which involve the creation of partnerships between States, United Nations agencies and other actors.[12] One such approach (similar to the current Danish Refugee Council/ Norwegian Refugee Council stand-by arrangement), foresees the identification of national police and/or military entities which may be rapidly deployed to provide security in camps on an emergency basis. A derivative of this model was used in refugee camps in The former Yugoslav Republic of Macedonia, where Swedish police officers were partners with local police to ensure security in the camps. Another option might be the use of stand-by arrangements such as those used by the Department of Peacekeeping Operations (DPKO). Yet another approach might entail an adaptation of the CIVPOL model used in Bosnia and Kosovo that could be applied to policing refugee camps experiencing significant security problems. While these various approaches are geared towards addressing major and conspicuous issues of camp safety, other less publicised forms of insecurity, such as trafficking and violent crime, also need to be addressed.

36. In conflict-weakened States, particularly those experiencing large-scale return movements, partnership in capacity-building schemes to support, train, and monitor the performance of police and other personnel engaged in administering and enforcing the rule of law can lead to an improvement of the security climate and build confidence in return. Peacekeepers can also be important partners in efforts to improve security, particularly by furnishing security-related information needed to assess risks to humanitarian personnel; contributing to the effort to identify, mark or eliminate landmines and unexploded ordinance from returnee areas; and generally contributing to the creation of a climate conducive to return movements.

37. Partnership is also needed to address security risks to humanitarian workers. In Kosovo, UNHCR worked in partnership with United Nations agencies and NGOs to provide important security training aimed at limiting the risks of humanitarian aid workers in both Albania and the Federal Republic of Yugoslavia; participated actively in United Nations security mechanisms at national level; and cooperated with NGOs, OSCE-KVM, local authorities and other actors on arrangements for the security of relief convoys, emergency evacuation arrangements and the sharing of security-related information.

---

[12]The "ladder of options" was described in the document entitled "Security and the Civilian and Humanitarian Character of Refugee Camps and Settlements" (EC/49/SC/INF.2), which was considered by the Standing Committee at its fourteenth meeting in February 1999.

VI. SOME OUTSTANDING QUESTIONS

38. The foregoing discussion has touched on only a few aspects of the complex issues raised by this year's theme and given a limited number of examples of partnership. To help further reflection and debate, the Executive Committee may wish to direct its attention to the following broad questions:

- Why do we need partnerships?
- What are the limits of partnership, particularly when it comes to protection?
- What are the elements of successful partnership?
- What is the impact of partnerships on the ground?

39. While partnership can undoubtedly enhance both refugee protection and security, there are certain limits. In seeking to define the appropriate boundaries of partnership, UNHCR has as its central reference point its mandate and the imperative to preserve the humanitarian and non-political nature of its functions. The mandate for refugee protection is unique to UNHCR, and cannot be delegated. There is therefore a tension between the extent to which UNHCR can and should broaden or reinforce partnerships for protection, while maintaining its unique responsibility. Similarly, the need for UNHCR at all times to maintain its status as a non-partisan and impartial humanitarian actor may militate against partnerships in certain circumstances.

40. Given the multitude of partners now involved in cooperating on issues that impact on refugee protection and security, it is important that each actor fully understands and respects the basic tenets of refugee law, human rights and humanitarian law. In addition, UNHCR's experience shows that the following are some of the elements for successful partnerships:

- The partners reach a consensus, in a timely fashion, that marshalling their efforts to achieve a given objective will be more effective than individual, uncoordinated action.

- A written or tacit agreement sets out the parameters for cooperation, preferably at the field level closest to the persons for whom a protection intervention is felt needed. Such field-level partnership can usefully be supported by agreements at the capital or Headquarters level, addressing broader issues of inter-institutional cooperation.

- Targeted training activities assist both UNHCR and new partners to get acquainted with their respective mandates, working methods and structures.

- Focal points or liaison officers are designated to facilitate effective liaison and ease communication with the appropriate person(s).

- On the basis of its mandate or special expertise, the partner adds value to the protection interventions.

- The partners consult regularly on developments, to identify concrete problems and agree upon remedial action, as well as to assess the effectiveness of protection interventions.

- Partnership is periodically reviewed to identify problems and address them in a collegial and non-controversial manner.

41. Delegations participating in the fiftieth session of the Executive Committee may wish to raise their own experiences and make suggestions on how partnerships can be further expanded or strengthened to ensure an impact on refugee protection and security. The theme is broad, but it is also timely. By identifying practical elements for success, while recognizing certain limitations, the debate offers an opportunity to identify major areas for future development and change, as we enter the new Millennium.

List of Acronyms

ADB	African Development Bank
ABF	Asian Development Fund
DPKO	Department of Peacekeeping Operations
ECHO	European Community Humanitarian Office
IASC	Inter-Agency Standing Committee
IDB	Inter-American Development Bank
IIDH	International Institute of Human Rights
IFAD	International Fund for Agricultural Development
IGAD	Intergovernmental Authority on Development
ILO	International Labour Organization
IOM	International Organization for Migration
ISESCO	Islamic Educational, Scientific and Cultural Organization
LCI	Liberian Children's Initiative
NATO	North Atlantic Treaty Organization
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OIC	Organization of the Islamic Conference
OSCE	Organization for Security and Cooperation in Europe
SADC	South African Development Community
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNBRO	United Nations Border Relief Operations
UNDP	United Nations Development Programme
UNDRO	Office of the United Nations Disaster Relief Coordinator
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNOPS	United Nations Office for Project Services
UNRISD	United Nations Research Institute for Social Development
UNSECOORD	Office of the United Nations Security Coordinator
UNV	United Nations Volunteers
WFP	World Food Programme
WHO	World Health Organization